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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,908	08/06/2001	Hideaki Yamada	1152-0279P	8593

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EXAMINER

MILIA, MARK R

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/921,908

Applicant(s)

YAMADA, HIDEAKI

Examiner

Mark R. Milia

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 7/15/05, and has been entered and made of record. Currently, claims 1-7 are pending.

Drawings

2. Applicant's amendment to the specification to include reference character "600" has overcome the objection to the Drawings as cited in the previous Office Action. Therefore the objection has been withdrawn.

Response to Arguments

3. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection. Further, with regards to claim 1, applicant asserts, on page 8 of the remarks, that the present invention differs from the prior art because the number of coding blocks can be reduced by rotating the image 180°. However, this feature is not presently represented in the current claim language. A new ground(s) of rejection is made in view of the current amendment to claim 1 and newly found prior art.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1, 2, 6, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otani in view of U.S. Patent No. 4689824 to Mitchell et al.

Regarding claim 1, Otani discloses an image encoding apparatus which sends a single transmission image by first coding a first image and a second image having a smaller area than the first image and combining them, with the second image arranged in the upper side of the first image in the single transmission image, comprising: an encoder portion for generating a first set of codes corresponding to the first image and a second set of codes corresponding to the second image (see Figs. 1 and 3, column 3 lines 5-10 and 57-61, column 5 lines 21-50, and column 6 lines 15-20) and a code merging portion for combining the second set of codes after the first set of codes (see Fig. 4 and column 6 lines 15-20 and 23-28).

Otani does not disclose expressly an image rotating portion for rotating each of the first and second images by approximately 180 degrees and outputting the first and second rotated images and a coding block unit determined by inserting an identification code at a position corresponding to the size of the rotated first image.

Mitchell discloses an image rotating portion for rotating each of the first and second images by approximately 180 degrees and outputting the first and second

rotated images (see column 8 lines 39-44) and a coding block unit determined by inserting an identification code at a position corresponding to the size of the rotated first image (see Fig. 6 and column 8 lines 11-44, reference shows that pointers, analogous to identification codes, are located at particular points throughout the image to represent a particular size of image data that will be rotated and thus divides the image into particular size portions that will allow the image to be properly rotated and output, the pointers are used to identify the particular subsets of the image data and provide a place for the rotation process to begin and end).

Otani & Mitchell are combinable because they are from the same field of endeavor, encoding data for image manipulation and execution.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the use of pointers (identification codes) to identify sections of image data to allow image data to be properly rotated as described by Mitchell with the system of Otani.

The suggestion/motivation for doing so would have been to provide more efficient manipulation of image data and decrease in processing time when complex processes are executed.

Therefore, it would have been obvious to combine Mitchell with Otani to obtain the invention as specified in claim 1.

Regarding claim 2, Otani and Mitchell disclose the system discussed in claim 1, and Mitchell further discloses wherein the encoder portion determines an interval at

which identification codes indicating coding block units are inserted, based on the size of the first rotated image (see Fig. 6 and column 8 lines 11-44).

Regarding claim 6, Otani and Mitchell disclose the system discussed in claim 1, and Otani further discloses wherein upon encoding, the encoder portion generates a line count definition parameter at the position before, and a line count redefinition parameter at the position after, the subject codes as the encoding target, assigns the line count of the merged image information of the first and second rotated image information as the line count definition parameter for the first set of codes, and assigns the line count of the first rotated image information as the line count redefinition parameter for the first set of codes (see column 4 lines 15-59 and column 5 line 21-column 6 line 22).

Regarding claim 7, Otani and Mitchell disclose the system discussed in claim 1, and Otani further discloses wherein the second image is an image of sender information represented in a bitmap form (see Fig. 4 and column 5 lines 12-26).

6. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otani and Mitchell as applied to claim 1 above, and further in view of Japanese Patent Document No. 11-313210 to Hirakawa.

Otani and Mitchell do not disclose expressly (*claim 3*) wherein the code merging portion combines the first set of codes and the second set of codes with reference to the identification code indicating the boundary between coding block units, (*claim 4*) wherein the encoder portion generates codes for a dummy image after identification

code indicating the boundary between coding block units when the first rotated image is encoded, and the codes for a dummy image can be replaced With the codes of the second rotated image, and (*claim 5*) wherein upon encoding, the encoder portion generates a line count definition parameter at the position before, and a line count redefinition parameter at the position after, the subject codes as the encoding target, assigns a dummy value as the line count definition parameter for the first set of codes, and assigns the line count of the merged image information of the first and second rotated image information as the line count redefinition parameter for the second set of codes.

Hirakawa discloses (*claim 3*) wherein the code merging portion combines the first set of codes and the second set of codes with reference to the identification code indicating the boundary between coding block units (see paragraphs [0146]-[0150]), (*claim 4*) wherein the encoder portion generates codes for a dummy image after identification code indicating the boundary between coding block units when the first rotated image is encoded, and the codes for a dummy image can be replaced With the codes of the second rotated image (see paragraphs [0132] and [0138]-[0141]), and (*claim 5*) wherein upon encoding, the encoder portion generates a line count definition parameter at the position before, and a line count redefinition parameter at the position after, the subject codes as the encoding target, assigns a dummy value as the line count definition parameter for the first set of codes, and assigns the line count of the merged image information of the first and second rotated image information as the line

count redefinition parameter for the second set of codes (see paragraphs [0138]-[0141]).

Otani, Mitchell, & Hirakawa are combinable because they are from the same field of endeavor, encoding data for image manipulation and execution.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the encoding and merging techniques of Hirakawa with the system of Otani and Mitchell.

The suggestion/motivation for doing so would have been to provide easier combination of sender information with an image document and optimal compression of divided image data blocks to increase processing speed and efficiency (see paragraph [0170] of Hirakawa).

Therefore, it would have been obvious to combine Hirakawa with Otani and Mitchell to obtain the invention as specified in claims 3-5.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. To further show the state of the art refer to attached Notice of References Cited.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (571) 272-7402. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark R. Milia
Examiner
Art Unit 2622

MRM


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